



BALLINGER CHURCH ARSON CONVICTION AFFIRMED BY COURT OF APPEALS

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Christopher A. Wray, Assistant Attorney General of the Criminal Division, U.S. Department of Justice, and David E. Nahmias, United States Attorney for the Northern District of Georgia announce that yesterday, the United States Court of Appeals for the Eleventh Circuit sitting en banc, affirmed the conviction of Jay Scott Ballinger, who in April 2001 pleaded guilty to deliberately setting fire to five Georgia churches but reserved a legal issue for appeal.

These fires were the culmination of a multi-state spree of arsons committed by Ballinger from December 1998 through January 1999. In Georgia, Ballinger's arsons damaged or destroyed the Amazing Grace Baptist Church in Chatsworth, the New Salem United Methodist Church in Commerce, the Sardis Full Gospel Church in Monroe, the Johnson United Methodist Church in Watkinsville, and the Mountain View Baptist Church in Chatsworth. The New Salem fire resulted in the death of volunteer firefighter Loy Williams and injured three other firefighters who managed to escape. Ballinger was sentenced by United States District Judge William C. O'Kelley to life in prison.

In its decision yesterday, the full Eleventh Circuit held that the federal church arson statute, Title 18, U.S. Code, Section 247, reaches the conduct of defendants such as Ballinger who travel from one state to another for the purpose of burning churches. In enacting the church arson statute, the Court held, Congress intended to invoke the full power of the Constitution's Commerce

Clause. Accordingly, the statute reaches not only conduct that substantially affects interstate commerce, but also the use of the channels and instrumentalities of interstate commerce.

"This ruling is a clear victory for the victims of Ballinger's horrific church arson spree," said Assistant Attorney General Christopher A. Wray, who argued the case before the Eleventh Circuit. "In affirming Ballinger's convictions, the full court's decision helps us achieve justice for slain firefighter Loy Williams and his wounded colleagues."

This appeal was handled by Assistant Attorney General Wray and Amy L. Weil, Chief of the U.S. Attorney's Office Appellate and Legal Advice Division.

For further information please contact David E. Nahmias, United States Attorney through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.